

The Honorable James L. Robart

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN MICHAEL SHERWOOD, and

ERIKA A. BOCELLE,

Defendants.

NO. CR22-127JLR

ORDER GRANTING STIPULATED
MOTION TO CONTINUE

This matter comes before the Court on the stipulated motion of the parties to continue the trial in this matter and to set a motions cutoff. Having considered the motion, and all the files and records herein, the Court finds and rules as follows:

THIS COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(7)(B)(ii) that this case is sufficiently unusual and complex that it is unreasonable to expect adequate preparation by the parties for pretrial proceedings or for the trial itself by the current trial date.

THE COURT FURTHER FINDS, pursuant to Title 18, United States Code, Section 3161(h)(7)(B)(i), that the failure to grant a continuance to October 2023 would be likely to make a continuation of the proceeding impossible, or result in a miscarriage of justice.

1 THE COURT FINDS, in light of these factors, that it is unlikely that the parties
2 can be reasonably ready to try this matter before October of 2023, at the earliest.

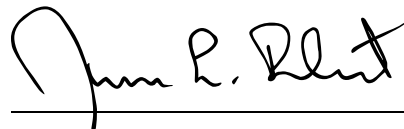
3 THE COURT FINDS, pursuant to Title 18, United States Code, Section
4 3161(h)(6) and (7), that this is a reasonable period of delay, in that the defendant has
5 indicated he and his counsel require more time to prepare for trial and believe that
6 October 2023 is the earliest that they could be prepared to proceed to trial. The Court
7 finds that given the complexity of the case, and the volume of discovery produced, and
8 still to be produced, that this amount of time is, in fact, necessary.

9 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date will
10 be continued until October 23, 2023. Pretrial motions shall be filed by September 11,
11 2023. The parties are advised that the court has other trial conflicts on this date and this
12 trial may not start on October 23, 2023, and may be moved to another date.

13 IT IS FURTHER ORDERED that the time between the date of this order
14 and the new trial date is excluded in computing the time within which a trial must be held
15 pursuant to Title 18, United States Code, Section 3161, et seq.

16 IT IS SO ORDERED.

17 DATED this 27th of December, 2022.

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20 JAMES L. ROBART
21 United States District Judge
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